

REMARKS

Claims 1-33 were pending in the present application. By virtue of this response, claims 1 and 10 have been amended, claims 22-29 have been withdrawn and claims 16-17, 19-21 and 30-33 have been canceled. Claims 1 and 10 have been amended to further clarify the claimed invention. Accordingly, no new matter has been added. Cancellation or withdrawal of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

Restriction Requirement

The Examiner has requested restriction to one of the following inventions as required under 35 U.S.C. § 121:

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| Group I. | Claims 1-15, 18 drawn to nucleic acids which circularize around a target nucleic acid in vitro, classifiable in class 536, subclass 24.5. |
| Group II. | Claims 1-14, 16-18 drawn to nucleic acids which circularize around a target nucleic acid in vivo, classifiable in class 536, subclass 23.1. |
| Group III. | Claims 19-21, drawn to methods of reducing efficiency of transcription or translation, classifiable in class 435, subclass 91.31. |
| Group IV. | Claims 22-29, drawn to a method of detecting the presence or absence of a target nucleic acid molecule, classifiable in class 435, subclass 6. |
| Group V. | Claim 30, drawn to library comprising a plurality of polynucleotides, classifiable in class 536, subclass 24.3. |

- Group VI. Claim 31, drawn to a method of selecting polynucleotides that are capable of topologically linking to a target nucleic acid molecule, classifiable in class 435, subclass 6.
- Group VII. Claim 32, drawn to a kit comprising a polynucleotide that binds and circularizes a target nucleic acid molecule, classifiable in class 536, subclass 23.2.
- Group VIII. Claim 33, drawn to a kit comprising a library comprising a plurality of polynucleotides, classifiable in class 536, subclass 24.33.

In response, Applicants hereby elect without traverse Group I, claims 1-15 and 18 for examination.

Applicants expressly reserve the right under 35 U.S.C § 121 to file divisional applications directed to the non-elected subject matter during the pendency of this application, or an application claiming priority from this application. Applicants further note that the Examiner has recognized that should the product claims of Group I be found allowable, withdrawn process claims (Group IV) that depend from or otherwise include all the limitations of the allowable product claims will be rejoined in accordance with the provision of MPEP § 821.04.

CONCLUSION

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **367592000500**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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